

IAP7 Rec'd PCT/PTO 12 JUN 2006

**Merchant & Gould**

An Intellectual Property Law Firm

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Minneapolis, MN 55402-2215

A Professional Corporation

**Fax Transmission** | June 12, 2006

TO:

**RECEIVED**  
**CENTRAL FAX CENTER**Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

FROM: Mark T. Skoog

**JUN 12 2006**

OUR REF: 11757.0082USWO

TELEPHONE: 612.371.5240

Total pages, including cover letter: **87** <sub>50</sub>PTO FAX NUMBER 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted: Communication Regarding Response to Notification of Defective  
Response: Copy of Notification of Defective  
Response: Copy of Transmittal Sheet of March 24,  
2005: Copy of Official Stamped Return PostcardApplicant: YOUSEF et al.  
Serial No.: 10/529,163  
Filed: March 24, 2005  
Group Art Unit: Unknown  
Our Ref. No. 11757.0082USWO  
Confirmation No. 6566

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. If appropriate, please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

By:

Name: Mark T. SkoogReg. No.: 40,178

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Sarah Dannecker

Signature

Date

**RECEIVED  
CENTRAL FAX CENTER****JUN 12 2006****PATENT**

S/N 10/529,163

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	YOUSEF et al.	Examiner:	Unknown
Serial No.:	10/529,163	Group Art Unit:	Unknown
Filed:	March 24, 2005	Docket No.:	11757.0082USWO
Title:	METHODS FOR DETECTING ENDOCRINE CANCER		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile (871-273-8300) to the U.S. Patent and Trademark Office on June 12, 2006.

By:   
Name: Sarah Dannecker

**COMMUNICATION REGARDING RESPONSE NOTIFICATION OF DEFECTIVE  
RESPONSE**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This paper is being filed in response to the Notification of Missing Requirements mailed on November 10, 2005 and the Notification of Defective Response mailed January 19, 2006. Applicants respectfully assert that the Notice was issued in error. The Notice required submission of a statement that the paper and machine readable copies of the sequence listing are identical. Such a statement was included on both the return receipt postcard and the transmittals accompanying the sequence listing (copies enclosed).

The Notice asserted that applicants had not filed a statement indicating that the paper and machine readable copies of the sequence listing are identical and provided a one month time for response. In fact, Applicants submitted with the application and sequence listing a statement that the paper and machine readable copies of the sequence listing are identical. The statement was included on both the return receipt postcard and the transmittals accompanying the sequence listing.

Enclosed for the Examiner's review are copies of the transmittal sheet, filed with the initial application on March 24, 2005, and the official stamped return postcard from the Office. A statement in accordance with the requirements of 37 C.F.R. § 1.821 - § 1.825 that the computer readable form and the paper copy form submitted are the same was included on our transmittal form and acknowledged by the Office on March 24, 2005.

It is further asserted that there is no need in the current application to present a statement of no new matter, as the sequences filed in the application were identical to those filed in the PCT application (International Application No. PCT/CA03/001478, filed September 26, 2003), so no new matter could be presented.

It is therefore respectfully requested that the Office withdraw the outstanding Notification of Defective Response. Please also acknowledge that the transmittal and postcard both have the appropriate statement on the documents.

**If the Office Determines that the Notice Was Properly Issued:**

Please charge Deposit Account No. 13-2725 in the amount of \$1080.00 to cover the required extension of time fees only if the Office should conclude they were correct in issuing the Notice.

In addition, only if the Office should conclude they were correct in issuing the Notice, accept the following request for extension of time: In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a 5-month extension of time be granted in which to respond to the outstanding Notification of Missing Requirements mailed November 10, 2005, said period of response being extended from January 10, 2006 to June 10, 2006.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Mark T. Skoog (Reg. No. 40,178), at (612) 371-5240.

Respectfully submitted,

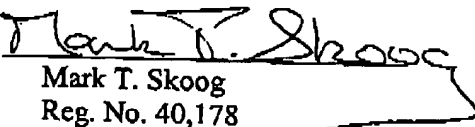
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300



Dated: June 12, 2006

MTS/sbd

By:

  
Mark T. Skoog  
Reg. No. 40,178



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1410  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/529,163	FIRST NAMED APPLICANT George Yousef	ATTY. DOCKET NO. 11757.82USWO
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23552  
MERCHANT & GOULD PC  
P.O. BOX 2903  
MINNEAPOLIS, MN 55402-0903

MTS

INTERNATIONAL APPLICATION NO. PCT/CA03/01478	
LA. FILING DATE 09/26/2003	PRIORITY DATE 09/26/2002

CONFIRMATION NO. 6566  
371 FORMALITIES LETTER



\*OC000000017873141\*

DEFECTIVE Resp Sub: July 19, 2006

Date Mailed: 01/19/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 03/24/2005
- Copy of the International Search Report filed on 03/24/2005
- Copy of IPE Report filed on 03/24/2005
- Preliminary Amendments filed on 03/24/2005
- Information Disclosure Statements filed on 03/24/2005
- Biochemical Sequence Diskette filed on 03/24/2005
- Oath or Declaration filed on 12/19/2005
- Biochemical Sequence Listing filed on 03/24/2005
- Small Entity Statement filed on 03/24/2005
- Request for Immediate Examination filed on 03/24/2005
- U.S. Basic National Fees filed on 03/24/2005
- Priority Documents filed on 03/24/2005
- Power of Attorney filed on 03/24/2005
- Specification filed on 03/24/2005
- Claims filed on 03/24/2005
- Abstracts filed on 03/24/2005
- Drawings filed on 03/24/2005
- Paper nucleotide sequence listings filed on 03/24/2005
- Paper Computer Listings filed on 03/24/2005

Applicant's response filed 12/19/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/10/2005 have not been completed.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or

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1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [abc@uspto.gov](mailto:abc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,163	PCT/CA03/01478	11757.82USWO

FORM PCT/DO/EO/916 (371 Formalities Notice)

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YOUSEF, et al.  
 Docket: 11757.82USWO  
 Title: METHODS FOR DETECTING ENDOCRINE CANCER

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 CENTRAL FAX CENTER  
 JUN 12 2006

## CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495841980 US  
 Date of Deposit: March 24, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By:   
 Name: David Ortiz

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

23552  
 PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

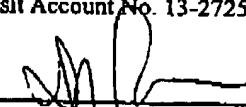
- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 141 pgs; which includes 8 pages of tables, 31 pages of Sequence Listing and 36 claims.
- The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 26 sheets of formal drawings
- ☒ Small entity status is claimed pursuant to 37 CFR 1.27
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$625.00 to cover the Filing Fee
- ☒ Information Disclosure Statement, Form 1449, 4 reference(s).
- ☒ Application Data Sheet, 3 pages.
- ☒ Computer readable form of a Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Form PTO-1390, Preliminary Amendment, International Publication Page, Form PCT/ISA/220, Form PCT/ISA/210, Form PCT/ISA/308
- ☒ Return postcard

## CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of	Extra	Rate	Fee
Total Claims	20	20	0	25	= 0.00
Independent Claims	2	3	0	100	= 0.00
Multiple Dependent Claims Fee					= 0
Basic Filing Fee					= 150.00
Search Fee					= 250.00
Examination Fee					= 100.00
Utility Application Size Fee	141	100	41/50	125	= 125.00
Total					= 625.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
 P.O. Box 2903 Minneapolis, MN 55402-0903  
 612.332.5300

By:   
 Name: Douglas P. Mueller  
 Reg. No.: 30,800  
 Initials: DPM/pjk

(PTO TRANSMITTAL - NEW FILING)

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Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office.

Applicant: YOUSEF, et al.  
 Title: METHODS FOR DETECTING ENDOCRINE CANCER  
 Docket: 11757.82USWO  
 Express Mail No.: EV 495841980 US  
 Date of Deposit: March 24, 2005

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
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- ☒ Other: Form PTO-1390, Preliminary Amendment, International Publication Page, Form PCT/ISA/220.
- ☒ Form PCT/ISA/210, Form PCT/ISA/308
- ☒ Return postcard

Patent

10/529163

JC10 Rec'd PCT/PTO 24 MAR 2005

DPM/pjk